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DEC 10 2007

OFFICE OF PETITIONS

In re Application of :
Bradford H. Needham, et al. :
Application No. 09/912,427 :
Filed: July 26, 2001 :
Attorney Docket No. P 279172 P11167 :

ON PETITION

This is a decision on the petition, filed July 25, 2007, to revive the above-identified application under 37 CFR 1.137(b).

The petition is **granted**.

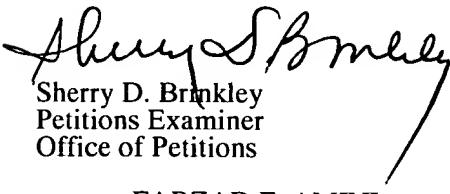
This application became abandoned as a result of petitioner's failure to file a complete and proper appeal brief within the time period provided in 37 CFR 41.37(a)(1). As a complete and proper appeal brief was not filed within one (1) month of the Notification of Non-Compliance with 37 CFR 41.37(c)(1), mailed December 4, 2006, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. *See* 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on January 5, 2007. *See* MPEP 1215.04. A Notice of Abandonment was mailed on July 13, 2007. In response, on July 25, 2007, the present petition was filed.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amended Appeal Brief; (2) the petition fee of \$1,500; and (3) an adequate statement of unintentional delay.

It is noted that the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The application is being referred to Technology Center AU 2143.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. Inquiries relating to the prosecution of the application should be referred to the Technology Center.


Sherry D. Brinkley
Petitions Examiner
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